

REMARKS

Reconsideration of this application in light of the above amendments is courteously solicited.

Applicant believes that independent claims 1 and 9 are patentable over the prior art for the reasons set forth in Applicant's Amendment mailed March 3, 2003. However, in an effort to further distinguish the multiple chamber tube of the present invention from the prior art, Applicant has amended independent claim 1 and 9 to clearly set forth that the tube head is shaped onto the first end of the body portion. The main '440 patent fails to teach, suggest or render obvious this additional limitation. In the '440 patent there is no structure equivalent to the tube head shaped onto the first end of the body portion wherein the tube head has the closure nozzle therein. Accordingly, it is respectfully submitted that claims 1 and 9 clearly define over the art of record.

In addition, applicant has added new dependent claims 10 and 11. Dependent claims 10 and 11 have the further limitation that the tube head has a thickness greater than the thickness of the body portion. Again, this is not shown, disclosed, nor rendered obvious by the '440 patent.

In light of the foregoing, it is submitted that the instant application is condition for allowance and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

Appln. No. 09/759,735
Amdt. Dated Nov. 12, 2003
Submitted with RCE Appln.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on November 12, 2003.


Lori J. Larson